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OFFICE OF PETITIONS

LaHive & Cockfield, LLP
Floor 30, Suite 3000
One Post Office Square
Boston, MA 02109

In re Patent No. 7,438,907 :
Schuurman et al. : DECISION UPON REMAND AND
Issue Date: October 21, 2008 : RECONSIDERATION OF
Application No. 10/714,353 : PATENT TERM ADJUSTMENT
Filed: November 14, 2003 : AND NOTICE OF INTENT
Attorney Docket No. GMI-059RCE : TO ISSUE CERTIFICATE OF
Title: Human Monoclonal : CORRECTION
Antibodies Against CD25 :

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by eight hundred and fifty-four (854) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by eight hundred and fifty-four (854) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries
Senior Legal Advisor Attorney

Patent No. 7,438,907 Application No. 10/714,353 Page 2
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,438,907 B2

DATED : October 21, 2008

DRAFT

INVENTOR(S) : Schuurman et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 384 days

Delete the phrase "by 384 days" and insert – by 854 days--

Day : Tuesday
Date: 5/18/2010

PALM INTRANET

Time: 09:58:38

PTA Calculations for Application: 10/714353

Application Filing Date:	11/14/2003	PTO Delay (PTO):	473
Issue Date of Patent:	10/21/2008	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	89
Post-Issue Petitions:	0	Total PTA (days):	854
PTO Delay Adjustment:	470		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
96	05/18/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	470		
83.5	10/01/2008	PTA 36 MONTHS			
83	10/21/2008	PATENT ISSUE DATE USED IN PTA CALCULATION			
82	09/17/2008	EXPORT TO FINAL DATA CAPTURE			
81	09/15/2008	DISPATCH TO FDC			
80	09/15/2008	APPLICATION IS CONSIDERED READY FOR ISSUE			
79	09/10/2008	ISSUE FEE PAYMENT VERIFIED			
78	09/10/2008	ISSUE FEE PAYMENT RECEIVED			
77	09/04/2008	FINISHED INITIAL DATA CAPTURE			
76	06/27/2008	SEQUENCE FORWARDED TO PUBS ON TAPE			
75	06/20/2008	EXPORT TO INITIAL DATA CAPTURE			
73	06/18/2008	MAIL NOTICE OF ALLOWANCE			
72	06/05/2008	ISSUE REVISION COMPLETED			
71	06/05/2008	DOCUMENT VERIFICATION			
70	05/27/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
69	05/27/2008	EXAMINER'S AMENDMENT COMMUNICATION			
68	05/27/2008	NOTICE OF ALLOWABILITY			
62	03/12/2008	DATE FORWARDED TO EXAMINER			
61	02/28/2008	REQUEST FOR CONTINUED EXAMINATION (RCE)		26	55
60	03/12/2008	DISPOSAL FOR A RCE / CPA / R129			
59	02/28/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
58	02/28/2008	WORKFLOW - REQUEST FOR RCE - BEGIN			

57	12/28/2007	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
56	12/13/2007	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
55	11/02/2007	MAIL FINAL REJECTION (PTOL - 326)			
54	10/31/2007	FINAL REJECTION			
53	08/21/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
52	06/04/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
50	09/05/2007	CORRESPONDENCE ADDRESS CHANGE			
49	08/30/2007	DATE FORWARDED TO EXAMINER			
48	08/21/2007	RESPONSE AFTER NON-FINAL ACTION			
47	08/21/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
46	08/21/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
45	06/04/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
44	05/21/2007	MAIL NON-FINAL REJECTION			
43	05/11/2007	NON-FINAL REJECTION			
42	02/08/2007	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
41	03/01/2007	DATE FORWARDED TO EXAMINER			
40	02/08/2007	RESPONSE AFTER NON-FINAL ACTION		63	36
39	02/08/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
37	02/20/2007	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
36	09/07/2006	MAIL NON-FINAL REJECTION			
35	08/29/2006	NON-FINAL REJECTION			
34	07/06/2006	CRF DISK HAS BEEN RECEIVED BY PREEXAM / GROUP / PCT			
33	07/13/2006	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
32	07/11/2006	DATE FORWARDED TO EXAMINER			
31	06/29/2006	RESPONSE TO ELECTION / RESTRICTION FILED			
30	06/29/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
29	06/20/2006	MAIL MISCELLANEOUS COMMUNICATION TO APPLICANT			

28	06/16/2006	MISCELLANEOUS COMMUNICATION TO APPLICANT - NO ACTION COUNT			
27	06/14/2006	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
26	05/02/2006	MAIL RESTRICTION REQUIREMENT	473		-1
25	05/01/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
24	11/14/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
23	05/28/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
22	02/23/2006	CASE DOCKETED TO EXAMINER IN GAU			
21	11/14/2005	REFERENCE CAPTURE ON IDS			
20.7	11/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
20	11/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
19	06/28/2005	CASE DOCKETED TO EXAMINER IN GAU			
18	05/28/2004	REFERENCE CAPTURE ON IDS			
17.7	05/28/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED.			
17	05/28/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
16	07/14/2004	CASE DOCKETED TO EXAMINER IN GAU			
15	07/14/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
14	05/27/2004	APPLICATION RETURN FROM OIPE			
13	05/27/2004	APPLICATION RETURN TO OIPE			
12	05/27/2004	APPLICATION DISPATCHED FROM OIPE			
11	05/27/2004	APPLICATION IS NOW COMPLETE			
10	05/07/2004	ADDITIONAL APPLICATION FILING FEES			
9	05/07/2004	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			
8	03/19/2004	NOTICE MAILED--APPLICATION INCOMPLETE--FILING DATE ASSIGNED			
6	02/02/2004	CLEARED BY OIPE CSR			
5	02/02/2004	CASE CLASSIFIED BY OIPE			
4	12/22/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			
3	12/02/2003	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
		CRF DISK HAS BEEN RECEIVED BY PREEXAM /			

2	11/14/2003	GROUP / PCT			
1	11/14/2003	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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